

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

L2 MOBILE TECHNOLOGIES LLC,  Plaintiff  v.  GOOGLE LLC,  Defendant.	Civil Action No. 6:21-cv-00358-ADA  The Honorable Alan D. Albright
---	--

**JOINT CLAIM CONSTRUCTION STATEMENT**

Pursuant to the Court’s Scheduling Order (ECF Nos. 29), Plaintiff L2 Mobile Technologies LLC (“L2MT”) and Defendant Google LLC (“Google”) submit this Joint Claim Construction Statement.

The asserted patents and claims are:

- U.S. Patent No. 8,179,913, claims 1–4
- U.S. Patent No. 8,054,777, claims 1, 2, 6, 8, 9, 13, 15, 16
- U.S. Patent No. RE47,200, claims 10-14

The parties’ agreed and disputed claim constructions are below.

## **I. AGREED CLAIM TERMS**

<b>The ’200 Patent</b>		
<b>Term, Phrase, or Clause</b>	<b>Patent Claims</b>	<b>Agreed Construction</b>
Consisting of corresponding security count values of the established channels in the wireless communications device that utilize the second key	10, 14	Plain and Ordinary Meaning

## **II. DISPUTED CLAIM TERMS**

The '200 Patent				
Term, Phrase, or Clause	Patent Claims	Party Proposing	L2MT's Construction	Google's Construction
Order of Method Steps	10	Google	No particular order is required except as defined by the claim itself	The steps of the claim must be performed in the recited order  Alternatively, "the steps of the claim must be performed in the recited order, except that step 10(b) must be performed after step 10(a) and before step 10(d)."
the first value is at least as great as the x most significant bits (MSBx) of a value in the first set and at least one of the established channels utilizing the first security key	10	Google	The first value is at least as great as the x most significant bits (MSBx) of a value in the first set. In addition, at least one of the established channels utilizes the first security key	Indefinite
a first predetermined value	10, 11	Google	Plain and Ordinary Meaning	a first default value

The '777 Patent				
Term, Phrase, or Clause	Patent Claims	Party Proposing	L2MT's Construction	Google's Construction
only reestablishing the receiving side in the RLC entity of the communications device	1, 2	L2MT	reestablishing the receiving side without reestablishing the transmitter side	only changing the originally configured values for the RLC entity of the communications device in the receiving side, which is different from a reset procedure

reestablishing the receiving side	1, 2	Google	executing a procedure that includes resetting state variables specified for the receiver side to their initial values and setting configurable parameters to their configured values	changing the originally configured values for the RLC entity in the receiving side, which is different from a reset procedure
Move Receiving Window (MRW) Acknowledgement (ACK) Status PDU	1, 2	L2MT	a Status PDU including an indication of MRW ACK	Plain and Ordinary Meaning
accurately reestablishing the receiving side	2	Google	No construction is necessary; the proposed term/phrase is only present in the preamble of the claim and therefore the claim term/phrase is nonlimiting.  Alternatively, “correctly reestablishing the receiving side”	Indefinite
Control circuit	2	Google	No separate construction necessary.  Alternatively, if the term is determined to be means-plus-function, it should be construed as follows:  <b>Function:</b> realizing functions of the communications device  <b>Structure:</b> hardware and/or software that includes a processor that executes program code accessible from	Indefinite, 112 ¶ 6  <b>Function:</b> “for realizing functions of the wireless communications device” (’777 patent) “for realizing functions of the communications device” (’913 patent)  <b>Structure:</b> none disclosed (Indefinite)

			a memory, as disclosed in Figures 1–3 and the text of the specification describing those figures	
--	--	--	--	--

The '913 Patent				
Term, Phrase, or Clause	Patent Claims	Proposing Party	L2MT's Construction	Google's Construction
reset procedure	1, 3	Google	<p>No construction is necessary; the proposed phrase is only in the preamble and thus nonlimiting.</p> <p>In the alternative, if the Court decides that the phrase requires construction, then: “a procedure that includes resetting certain state variables to their original values and resetting configurable parameters</p>	a procedure triggered to recover a protocol error in which all state variables, timers and configured values are set to their original states or original configured values, which is different from a reestablishment procedure
Control Circuit	3	Google	[See above for claim construction under the '777 disputed claim terms]	[See above for claim construction under the '777 disputed claim terms]

Respectfully submitted,

December 24, 2021

By: /s/ Joseph F. Marinelli

Timothy P. Maloney (IL 6216483)  
Karl R. Fink (IL 6180508)  
Joseph F. Marinelli (IL 6270210)  
Evan J. Kline-Wedeen (IL 6329941)  
**FITCH, EVEN, TABIN &  
FLANNERY LLP**  
120 S. LaSalle St., Suite 2100  
Chicago, IL 60603  
Telephone: 312.577.7000  
tim@fitcheven.com  
krink@fitcheven.com  
jmarinelli@fitcheven.com  
eklinewedeen@fitcheven.com

*Attorneys for Plaintiff  
L2 Mobile Technologies LLC*

By: /s/ Deepa Acharya

Charles Verhoeven (pro hac vice)  
charlesverhoeven@quinnemanuel.com  
QUINN EMANUEL URQUHART &  
SULLIVAN  
50 California Street, 22nd Floor  
San Francisco, California 94111-4788  
Telephone: 415-875-6600  
Fax: 415-875-6700

Kevin Hardy (pro hac vice)  
kevinhardy@quinnemanuel.com  
Deepa Acharya  
deepaacharya@quinnemanuel.com  
QUINN EMANUEL URQUHART &  
SULLIVAN  
1300 I Street NW, Suite 900  
Washington, D.C. 20005  
Telephone: 202-538-8000  
Fax: 202-538-8100

Andrea Pallios Roberts (pro hac vice)  
andrearoberts@quinnemanuel.com  
QUINN EMANUEL URQUHART &  
SULLIVAN  
555 Twin Dolphin Dr., 5th Floor  
Redwood Shores, California 94065  
Telephone: 650-801-5000  
Fax: 650-801-5100

Jason C. Williams  
jasonwilliams@quinnemanuel.com  
QUINN EMANUEL URQUHART &  
SULLIVAN  
51 Madison Avenue, 22nd Floor  
New York, NY 10010  
Telephone: 212-849-7401  
Fax: 212-849-7100

Paige Arnette Amstutz  
Texas State Bar No. 00796136  
SCOTT, DOUGLASS &  
MCCONNICO, LLP  
303 Colorado Street, Suite 2400  
Austin, TX 78701  
Telephone: (512) 495-6300

Facsimile: (512) 495-6399  
pamstutz@scottdoug.com

*Counsel for Defendant  
Google LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was electronically filed on [Insert Date] using the Court's CM/ECF system, which will send notice of such filing to all counsel of record who are deemed to have consented to electronic service.

/s/ Joseph F. Marinelli  
Joseph F. Marinelli